

### **TITLE 3: HEALTH AND SANITATION AND ANIMAL REGULATIONS**

#### **DIVISION 3: ENVIRONMENTAL HEALTH**

##### **Chapter 9: Insect, Rodent, and Other Vector Control.**

###### **Sections:**

###### **Article 1: Mosquito, Fly, Rat and Other Public Health Vector Abatement**

33.0901 Purpose and Authority.

33.0902 Definitions.

33.0903 Violations.

33.0904-0910 (Reserved)

###### **Article 2: Fly Control on Commercial Poultry Ranches and Other Locations**

33.0911 Intent.

33.0912 Definitions.

33.0913 Fly Abatement and Appeals Board.

33.0914 Duties and Powers of the Director of DEHS.

33.0915 Hearing Request.

33.0916 Permit Required.

33.0917 Application Requirements.

33.0918 Transport of Wastes.

33.0919 Fly Bait Stations and Pesticides.

33.0920 Poultry Ranch Standards.

33.0921 Violations, Remedies, and Penalties.

33.0922-0930 (Reserved)

###### **Article 3: Riding Academies**

33.0931 Authority.

33.0932 Definitions.

33.0933 Permits Required.

33.0934 Compliance.

33.0935 Suspension and/or Revocation of Permit.

33.0936 Violations, Remedies, and Penalties.

33.0937-0940 (Reserved)

###### **Article 4: San Bernardino County Vector Control Program**

33.0941 Purpose.

33.0942 Authority.

33.0943 City assessments.

33.0944 Regional Assessments.

33.0945 Method of Collection; Authorization to Add to Tax Roll

###### **Article 5: 4-H/FFA Educational Animal Projects**

33.0951 General Provisions.

33.0952 Violations, Remedies, and Penalties.

33.0953-0960 (Reserved)

#### **Article 1: MOSQUITO, FLY, RAT, AND OTHER PUBLIC HEALTH VECTOR ABATEMENT**

##### **33.0901 Purpose and Authority.**

The purpose of this Article is to provide for the general public health protection in regards to mosquito, fly, rat, and other public health vector management and abatement.

Pursuant to the authority cited in Chapter 1 of this Environmental Health Code (E.H. Code), and as elsewhere provided in State law, this jurisdiction designates the Department of Environmental Health Services (DEHS) of the County of San Bernardino as the enforcement authority for the purposes of this Article and of the applicable laws and regulations related to public health vector abatement as currently adopted by the State Department of Food and Agriculture and Department of Health Services. This jurisdiction hereby finds and declares that breeding and harborage places for mosquitoes, flies, rats, and other vectors under conditions of known public health significance are public nuisances. DEHS is authorized to assist in epidemiological studies conducted by the San Bernardino County Department of Public Health and other health agencies, to provide education on vector-borne disease and control measures, and otherwise appropriately monitor the status of public health vertebrate and invertebrate vectors within this jurisdiction. Such authority includes the right to reasonably enter upon, without hindrance, any lands to inspect, survey, monitor, or issue notices related to suspected public nuisances.

##### **Renumber and restated Ordinance 3105 (1986);**

##### **33.0902 Definitions.**

The definitions provided in Chapter 1 of this E.H. Code shall apply to this Article except that:

(a) "Public nuisance" for the purposes of this Article means any of the following:

(1) (A) Any breeding place for mosquitoes, flies, rats, or other vectors of public health importance which exists by reason of any use made of the land on which it is found, or of any artificial change in its natural condition. Presence of immature arthropods of public health importance shall constitute prima facie evidence that a place is a breeding place for arthropods. The presence of rodent droppings, trails, or evidence of feeding activity, shall constitute prima facie evidence that a place is a breeding place for rats.

(B) Where DEHS determines that an agricultural operation is growing or processing crops or raising fowl or animals in a manner consistent with proper and accepted practices and standards, and employing measures for rat control, for fly control, for manure management, removal, and disposal, and for disposal of agricultural crop waste, which prevent excessive domestic fly larval development and excessive adult fly emergence on the property, and excessive rat population, then that place shall not be deemed a public nuisance.

(C) As used in this paragraph, "excessive" as defined by State law in Health and Safety Code §2200, means the presence of domestic flies and rats associated with agricultural operations, which do all of the following:

(I) Occur in immature stages and as adults in numbers considerably in excess of those found in the surrounding environment.

(II) Are associated with the design, layout, and management of agricultural operations.

(III) Disseminate widely from the property.

(IV) Cause detrimental effects on the public health and well-being of a majority of the surrounding population.

(2) Water which is a breeding place for mosquitoes, flies, or other arthropods of public health importance.

(b) "Vector" means any animal capable of transmitting the causative agent of human disease or capable of producing human discomfort or injury, including, but not limited to, mosquitoes, flies, fleas, ticks, mites, and rats, but not including any domesticated animal.

**Renumber and restated Ordinance 3105 (1986);**

### **33.0903 Violations.**

It shall be unlawful for any person or entity to create or allow the existence of a public nuisance as defined in this Article.

**Renumber and restated Ordinance 3105 (1986);**

**33.0904-0910 (Reserved)**

## **Article 2: FLY CONTROL ON COMMERCIAL POULTRY RANCHES AND OTHER LOCATIONS**

### **33.0911 Intent.**

It is the intent of this Article to promote good fly control practices and to provide a system of abatement for all fly breeding sources on commercial poultry ranches and other places within this jurisdiction. Except as provided herein, all authority and provisions of Chapters 1 and 2 of this Environmental Health Code (E.H. Code) shall apply to this Article.

**Renumber and restated Ordinance 3105 (1986);**

### **33.0912 Definitions.**

In addition to the definitions provided in Chapter I of this E.H. Code, the following shall apply to this Article:

(a) "Commercial Poultry Ranch" shall mean any building, structure, enclosure, or premises where poultry are kept or maintained for the primary purpose of producing poultry, eggs, or meat for sale or other distribution. This term shall not apply to premises where less than one hundred (100) chickens are kept.

(b) "Fly Breeding Hazard" shall mean the accumulation, existence or maintenance of any substance, matter, material, or condition resulting or likely to result in the breeding of flies in an amount or manner such as to endanger public health or safety, or to create unreasonable interference with the comfortable enjoyment and use of life and property by others.

(c) "Public Nuisance" shall mean any fly breeding hazard within this jurisdiction.

(d) "Standards for the Prevention and Control of Fly Breeding on Commercial Poultry Ranches" shall mean those sections provided in this Article setting forth standards for the construction, operation, and maintenance of commercial poultry ranches.

**Renumber and restated Ordinance 3105 (1986);**

### **33.0913 Fly Abatement and Appeals Board.**

(a) Establishment. There shall be a County-wide Fly Abatement and Appeals Board of the County of San Bernardino, State of California.

(b) Appointment of Members. The Appeals Board shall be composed of five (5) members appointed by the Director of the Department of Environmental Health Services (DEHS) of the County of San Bernardino. Two (2) persons shall be commercial poultry ranchers. One (1) person shall be a graduate of a biological or environmental science, knowledgeable in fly control procedures and not associated with DEHS or any local commercial poultry ranch. Two (2) persons shall represent the community at large. Members of the Board shall be appointed for a term of two (2) years, and shall serve without compensation, reimbursements, or allowances.

(c) Functions. The functions of the Board are as follows:

(1) The Board shall conduct public hearings relating to fly breeding hazards, but shall not take up the subject of denial, suspension, or revocation of any permit.

(2) The Board shall choose a chairman and vice-chairman from its own members.

(3) A quorum shall be necessary in order to transact business of the Board.

(4) The Board may, upon evidence presented, recommend methodology for abatement of a violation of this Article.

(5) The Board may issue a recommendation to the Director of DEHS regarding a determination of breeding hazards and issuance of abatement orders.

(6) A majority vote of the Board members present shall be necessary to issue a recommendation.

(7) Administration of abatement orders, notices of violation, citations, and court actions shall be the responsibility of the Director of DEHS.

(d) Recommendation Procedure. The Board shall issue its recommendations to the Director of DEHS in writing within five (5) days of the hearing. Final determination is the responsibility of the Director of DEHS.

### **33.0914 Duties and Powers of the Director of DEHS.**

(a) Inspection. It is the duty of the Director of DEHS or authorized agent to inspect any premises when there is probable cause to believe that a fly breeding hazard exists. The Director or authorized agent thereof may also routinely inspect commercial poultry ranches and may take photographs, collect samples, or other evidence.

(b) Notice. When the Director or authorized agent determines that a fly breeding hazard exists on any premises, or in addition, pertaining to commercial poultry ranches, that there is a violation of any of the standards listed within this Article or of any other governing laws or rules, a written Notice of Violation shall be issued to the owner or operator of the premises to correct the violation within a specified period of time. A Notice of Violation shall allow at least five (5) days to correct the violation(s). Continuing or subsequent violations may result in immediate citation.

(b) Service of Notice or Order. The notice required by this section shall be served by any or all of the following methods:

(1) Mail to the owner as shown on the tax rolls;

(2) By personal service;

(3) By posting the property.

(d) Citation. If the owner or operator fails to correct the violation within the specified period of time indicated on a written Notice of Violation, the Director or designated agent may proceed with an action in court to enforce the provisions of this Article.

(e) Repeated Violations. If the Director or designated agent has served upon the owner or operator two (2) or more written Notices of Violation within the previous twelve (12) month period, at the time of service of the current Notice of Violation, a written notice of a right to a hearing before the Fly Abatement and Appeals Board shall also be served.

(f) Remedies. The Director or designated agent may use any other remedy provided by law for the abatement of a nuisance in addition to any remedy provided in this Article.

**Renumber and restated Ordinance 3105 (1986);**

### **33.0915 Hearing Request.**

Any commercial poultry ranch receiving a written Notice of Violation may request a public hearing before the Fly Abatement Appeals Board. The request shall be in writing addressed to the Director of DEHS within five (5) days of issuance of a Notice of Violation. The hearing shall be scheduled within ten (10) days of the written request. At the hearing, the commercial poultry ranch operator may advise the Appeals Board of any compliance problems and the Appeals Board may advise the operator of procedures which would provide abatement. The Appeals Board shall inform the Director of DEHS of the proceedings of this informal hearing. Final determination shall be the responsibility of the Director of DEHS.

**Renumber and restated Ordinance 3105 (1986);**

### **33.0916 Permit Required.**

In addition to the requirements of Chapter 2 of this E.H. Code, every owner or operator of a commercial poultry ranch shall possess an unexpired, unsuspended, unrevoked permit from DEHS to engage in the business of operating or managing a poultry ranch. The appropriate fee shall be submitted with each application in the amounts set forth in the San Bernardino County Code Schedule of Fees. An operator of several separate commercial poultry ranches shall obtain a separate valid permit for each ranch operation. Permits shall not be transferable and may be denied, suspended, or revoked. Upon notification by the Director of DEHS or authorized agent of intent to deny, suspend, or revoke a permit, the permittee may request a hearing as provided in Chapter 2 of this E.H. Code. The grounds for denial, suspension, or revocation shall be the existence of a fly breeding hazard on the applicable property of such a nature that imminent abatement is not foreseeable, or noncompliance with the other requirements of this Article as to the use of facilities and equipment.

**Renumber and restated Ordinance 3105 (1986);**

**33.0917 Application Requirements.**

(a) The following information shall be submitted to DEHS in connection with all existing caged poultry operations:

- (1) Owner, operator, firms and/or corporation name and address;
- (2) Construction details of existing operational systems (cages, floors, water, feeds, waste-water disposal, house space, cooling and ventilating systems);
- (3) Density of birds for existing operation; and
- (4) Statements describing existing method of manure management and dead bird disposal.

(b) Plans for new construction shall be submitted to DEHS and the planning and/or land management departments of this jurisdiction for approval and DEHS development permit prior to construction with appropriate fees as set forth in the San Bernardino County Code Schedule of Fees and shall include:

- (1) A plot plan drawn to scale;
- (2) The owner, operator, firm, and/or corporation name and address;
- (3) Location of proposed construction and type of existing buildings;
- (4) Prevailing wind directions;
- (5) Location of access roads and servicing areas;
- (6) Human and animal population densities of adjoining areas; and
- (7) Construction details of proposed and existing operational systems (cages, floors, watering, feeds, waste-water disposal, house spacing, cooling ventilating systems).

**Renumber and restated Ordinance 3105 (1986);**

**33.0918 Transport of Wastes.**

All trucks and other equipment used in removing, processing, or disposal of manure or dead birds shall be kept reasonably clean of manure and dead birds after disposal to prevent fly and odor nuisances. The beds of all trucks and other hauling equipment used for these practices shall be completely covered and/or sealed with a tarpaulin or otherwise properly covered and secured to prevent spillages when operating on public roadways, in accordance with the California Vehicle Code. Trucks and other equipment containing manure or dead birds shall not be parked within a residential neighborhood area for longer than twenty-four (24) hours and not within five hundred (500) feet of a neighboring residential or commercial building.

**Renumber and restated Ordinance 3105 (1986);**

**33.0919 Fly Bait Stations and Pesticides.**

(a) Fly bait stations, when required by DEHS and approved by DEHS, shall be maintained in an operable condition on each cage operation type ranch or other fly breeding place. The number of fly bait stations shall be determined by DEHS.

(b) The standards herein shall be interpreted to promote good fly control practices in accordance with recognized biological control practices to reduce the possibility of fly breeding. However, they do not preclude the use of pesticides when necessary or other good fly control practices as approved by DEHS. Additionally, DEHS may require any reasonable action necessary to insure fly control and to prevent a public nuisance.

**Renumber and restated Ordinance 3105 (1986);**

**33.0920 Poultry Ranch Standards.**

The following standards herein shall be utilized to promote good fly control practices in accordance with recognized Integrated Pest Management techniques. These shall include physical, biological, and chemical control methods such as those currently recommended in the bulletin "Integrated Management of Pest Flies on Poultry

Ranches," published by the University of California Division of Agricultural Sciences or as set forth in equivalent publications.

(a) Construction and Maintenance:

(1) Structures and equipment for both ground and cage operations shall be constructed so as to facilitate the drying and removal of manure when required, and shall provide drainage of moisture away from all manure.

(2) All watering and cooling systems shall be so installed to prevent backflow and so maintained that they do not overflow, splash, or leak upon manure and feeds.

(3) All waste water shall be disposed of by using a subsurface drainage system or other method that will not result in a nuisance.

(4) All housing operations shall be so designed and maintained to allow adequate ventilation and weather protection by proper spacing, elevation, and roofing designs.

(5) All feed storage facilities shall be designed and maintained so as to prevent fly and rodent development.

(6) Any person or entity proposing to construct or reconstruct a commercial poultry ranch or any building, structure, or enclosure on a commercial poultry ranch shall follow the current guidelines as provided by the University of California Cooperative Extension, or other industry-wide acceptable standards.

(b) Fly Control Through Manure Management:

(1) Drying and Coning Operation. If the commercial poultry ranch owner or operator employs the drying and coning operation method of manure management, the following shall be complied with:

(A) The process shall begin on dry ground or on a pad of dry manure in order to harbor predators and parasites and to provide an absorbent surface for fresh droppings. A deeper pad of dry manure may be necessary if the area beneath the poultry cages is sunk below the levels of the aisles. If necessary, to facilitate drying, broken up fresh droppings shall be stirred or otherwise mixed with the dry pad until a satisfactorily dry condition is attained.

(B) Any system used for watering the poultry shall be maintained so as to prevent water from reaching the manure. System leaks shall be promptly repaired so as not to disrupt the effectiveness of the drying method. When necessary, the watering system shall be changed or upgraded to eliminate future leaks.

(C) All wet spots in the manure created by water leaks or diarrhetic poultry shall be thoroughly removed and replaced with an adequate base of dry material as necessary.

(D) Whenever it becomes necessary to remove the manure from under the cages, a six (6) to eight (8) inch pad of dry manure shall be left to facilitate the drying of the new cones and maintain a habitat for predators and parasites by one of the following methods:

(I) Removing every other row, then pushing half of the manure from the remaining row into the cleaned out row.

(II) Cleaning so as to leave at least six (6) to eight (8) inches of manure in each row.

(III) Cleaning out all manure and replacing it with at least a six (6) to eight (8) inch pad of dry manure from some other source.

(2) Frequent Manure Removal Operation. If the commercial poultry ranch owner or operator employs the frequent manure removal operation method of manure management, the following procedures shall be complied with:

(A) Manure shall be removed frequently enough from under poultry cages to prevent fly larval migration and adult emergence.

(B) Each time manure is removed from under the poultry cages, larvae and pupae shall also be removed in the fringe areas.

(C) Aisles and borders of the poultry houses shall be cleaned of feathers and other debris frequently to eliminate pupation areas for fly larvae.

(c) Manure Disposal.

(1) Raw manure shall not be stockpiled or stored on the ranch premises for more than fifteen (15) days.

(2) Any manure removed from under the poultry cages or the premises by any person, shall be processed and/or disposed of in a manner that will not create a fly nuisance.

(3) Manure which is processed on the ranch shall be processed by one of the following means, provided there is sufficient area available for whichever method is selected. Methodology for manure processing and disposal shall be that approved by the Director of DEHS. Obtaining the Director's approval shall be the responsibility of the operator. Manure shall be:

(A) Placed under a tarp which is properly sealed around the edges or in a fly-tight storage bin to prevent the emergence of adult flies.

(B) Spread thinly and dried and/or disced under in a manner that will not create a fly problem.

(C) Incorporated into an effective decomposition or drying operation so that any larvae or pupae in the manure cannot advance in the life cycle, and such operation be so conducted that dusts, odors, and nuisances to adjacent properties do not occur.

(d) Fly Control of Other Sources on Commercial Poultry Ranches.

(1) Dead Poultry Disposal. Dead poultry shall be removed from the cages at least once a day and immediately disposed of by one of the following methods:

(A) Placed in a fly-tight container or structure for proper off-site removal and removed from the premises at least weekly. Containers shall be kept clean to prevent fly breeding.

(B) Placed in a disposal pit of approved construction similar to that shown in current University of California Cooperative Extension publication, "How to Dispose of Dead Birds," or as stated in equivalent publications.

(2) Waste Egg Disposal. Waste eggs shall be disposed of by one of the following methods:

(A) Placed daily in the dead bird disposal.

(B) Placed in fly-tight containers or structures and removed from the premises at least weekly.

(3) Feed Management.

(A) Feed storage area shall be kept dry.

(B) Spilled feed from feed troughs shall be immediately removed.

(e) General Ranch Operation.

(1) There shall be sufficient equipment and personnel to implement the manure management program for fly prevention and control.

(2) Whenever necessary, the fly population on the ranch shall be chemically controlled to prevent nuisances. Larviciding shall be kept at a minimum. Appropriate adulticides, including both sprays and baits, may be used to control adult fly populations.

(3) Dropping boards or wires may be used in speeding the drying process and to reduce the expense of pesticides. Excessive accumulations of manure on dropping boards or wires to prevent fly breeding shall be cleaned frequently.

#### **Renumber and restated Ordinance 3105 (1986);**

#### **33.0921 Violations, Remedies, and Penalties.**

It shall be unlawful for any person or entity to violate any provision of this Article. Except as provided herein, all remedies and penalties of Chapters 1 and 2 of this E.H. Code shall apply to this Article, and are in addition to all others provided by law.

#### **33.0922-0930 (Reserved)**

### **Article 3: RIDING ACADEMIES**

#### **33.0931 Authority.**

Except as provided herein, all authority and provisions of Chapters 1, 2, and 3 of this Environmental Health Code (E.H. Code) shall apply to this Article, which shall be enforced by the Department of Environmental Health Services (DEHS) of the County of San Bernardino within this jurisdiction. Matters pertaining to animal disease and abuse shall be referred to the Health Officer.

#### **Renumber and restated Ordinance 3105 (1986);**

#### **33.0932 Definitions.**

In addition to those definitions in Chapters 1 and 3 of this E.H. Code, the following shall apply to this Article:

(a) "Riding Academy" shall mean any place where horses are rented or held for rent to the public, or where such horses are stabled, kept, or maintained.

#### **Renumber and restated Ordinance 3105 (1986);**

#### **33.0933 Permits Required.**

It shall be unlawful for any person or entity to construct, own, operate, or allow the operation of any riding academy without a valid DEHS permit to do so, issued in accordance with the provisions of this Article and Chapter 2 of this E.H. Code.

#### **Renumber and restated Ordinance 3105 (1986);**

#### **33.0934 Compliance.**

Operators of riding academies shall comply with all provisions of this E.H. Code and of this jurisdiction for the location, operation, maintenance, and care of such places and animals, and the stockpiling and disposal of manure and waste material therefrom, in a manner which shall not create a hazard to human or animal health or be or become a public nuisance.

#### **Renumber and restated Ordinance 3105 (1986);**

#### **33.0935 Suspension and/or Revocation of Permit.**

In accordance with the administrative procedures set forth in Chapter 2 of this E.H. Code, a permit may be suspended or revoked by DEHS for failure to comply with the provisions of this E.H. Code, the laws of this jurisdiction, or if at any time such place becomes a hazard to human or animal health, or a public nuisance.

**Renumber and restated Ordinance 3105 (1986);**

**33.0936 Violations, Remedies, and Penalties.**

It shall be unlawful for any person or entity to violate any provision of this Article. Except as provided herein, all remedies and penalties of Chapters 1, 2, and 3 of this E.H. Code shall apply to this Article, and are in addition to all others provided by law.

**Renumber and restated Ordinance 3105 (1986);**

**33.0937-0940 (Reserved)**

**Article 4: SAN BERNARDINO COUNTY VECTOR CONTROL PROGRAM**

**33.0941 Purpose.**

The San Bernardino County Board of Supervisors has found and determined: that mosquito, fly, rodent, and other vector producing areas capable of producing public health vectors are present within the County; that these vectors are known to transmit human diseases; that the effective control of these vectors should be conducted on a County-wide basis in order to protect the health and safety, and enhance the comfort of the citizens; that the participation of the County of San Bernardino County Vector Control Program through the Department of Public Health (PH), Division of Environmental Health Services (DEHS) will best control public health vector problems of the County; that there is a need for the program in the zones and areas to be assessed and that the properties within such program benefited by the program.

**Renumber and restated Ordinance 3105 (1986); Amended Ordinance #3549 (1993); Amended Ordinance #3672 (1996);**

**33.0942 Authority.**

(a) Pursuant to California Government Code section 25842.5, the Board of Supervisors hereby establishes the San Bernardino County Vector Control Program which shall provide the services and exercise the powers of a Vector Control District within the County of San Bernardino as set forth in the California Health and Safety Code sections 2200 through 2360, et seq. Before exercising such authority within incorporated territory, the consent of the city council shall first be obtained. The San Bernardino County Vector Control Program shall be carried out by the Department of Public Health (PH), Division of Environmental Health Services (DEHS) of the County of San Bernardino. PH/DEHS will consult with each jurisdiction, consenting to participation in the Vector Control Program, to determine the parameters of services to be performed and to establish mechanisms for funding.

(b) For the purposes of an assessment levied under this article, the property so assessed within a given zone, city or region is equally benefited.

**Renumber and restated Ordinance 3105 (1986); Amended Ordinance #3549 (1993); Amended Ordinance #3672 (1996);**

**33.0943 City Assessments.**

(a) The city councils of the following cities have resolved, pursuant to California Government Code section 25842.5, to consent to approve the inclusion of their incorporated territory in the San Bernardino County Vector Control Program, and have entered into separate agreements with County to that end:

- (1) Colton;
- (2) Fontana;
- (3) Grand Terrace;
- (4) Highland;
- (5) Loma Linda;
- (6) Needles;
- (7) Ontario (excluding all areas within the West Valley Vector Control District).
- (8) Redlands
- (9) Rialto;
- (10) San Bernardino;
- (11) Upland; and
- (12) Yucaipa;

(b) The San Bernardino County Board of Supervisors hereby establishes annual benefit assessment rates and/or collection methods for all incorporated and unincorporated areas within the San Bernardino County Vector Control Program, as set forth in this article.

(c) The benefit assessment rates for the following valley floor cities (excluding incorporated area and areas within the West Valley Vector Control District) shall be as established by subsection (d) of this section:

- (1) Colton;
- (2) Fontana;
- (3) Grand Terrace;
- (4) Highland;
- (5) Loma Linda;
- (6) Redlands;
- (7) Rialto;
- (8) San Bernardino;
- (9) Upland; and
- (10) Yucaipa.

(d) The benefit assessment rates for the cities listed in subsection (c) of this section shall be as follows:

| <u>TYPE OF PROPERTY</u>                     | <u>RATE</u> |
|---|-------------|
| (1) <u>Vacant</u><br>Assessable parcels     | \$1.00      |
| (2) <u>Residential</u>                      |             |
| (A) SFD                                     | \$5.32      |
| (B) 5-14 Units                              | \$5.32      |
| (C) 15-80 Units                             | \$7.64      |
| (D) 81 Units and over                       | \$9.96      |
| (3) <u>Commercial</u><br>Assessable parcels | \$9.96      |
| (4) <u>Industrial</u><br>Assessable parcels | \$9.96      |

(e) The San Bernardino County Vector Control Program within the City of Ontario (excluding all areas within the West Valley Vector Control District) shall be funded pursuant to a contract between the County of San Bernardino and City of Ontario.

(f) The areas within the West Valley Vector Control District are described as: That portion of the Southwest corner of the County of San Bernardino, State of California, bounded as follows:

On the East, South and West by the San Bernardino County Line;

And on the North by the following described line:

Beginning at the Northeast corner of Section 1, Township 2 South, Range 7 West, San Bernardino Meridian, said point being also in the Easterly prolongation of the center line of Philadelphia Avenue.

Thence Westerly along said prolongation and center line to the center line of Euclid Avenue;

Then Northerly along said center line of Euclid Avenue to the center line of Francis Street;

Thence Westerly along said center line of Francis Street to the center line of Palmetto Avenue;

Thence Northerly along said center line of Palmetto Avenue to the center line of Mission Boulevard;

Thence Westerly along said center line of Mission Boulevard to the San Bernardino County line, being the point of terminus.

Contains 123 square miles.

**Renumber and restated Ordinance 3105 (1986); Amended Ordinance #3549 (1993); Amended Ordinance #3577 (1994); Amended Ordinance #3672 (1996);**

33.0944 Regional Assessments.

(a) The benefit assessment rates for the San Bernardino Valley Region, Unincorporated, shall be as follows:

| <u>TYPE OF PROPERTY</u>                 | <u>RATE</u> |
|---|-------------|
| (1) <u>Vacant</u><br>Assessable parcels | \$1.00      |
| (2) <u>Residential</u>                  |             |



|     |                  |        |
|-----|------------------|--------|
| (A) | SFD \$5.32       |        |
| (B) | 5-14 Units       | \$5.32 |
| (C) | 15-80 Units      | \$7.64 |
| (D) | 81 Units or more | \$9.96 |

|     |                    |        |
|-----|--------------------|--------|
| (3) | <b>Commercial</b>  |        |
|     | Assessable parcels | \$9.96 |

|     |                    |        |
|-----|--------------------|--------|
| (4) | <b>Industrial</b>  |        |
|     | Assessable parcels | \$9.96 |

(b) The legal and area description of the San Bernardino Valley Region, unincorporated, benefit assessment zone is described as follows:

That portion of the County of San Bernardino, State of California, described as follows:  
 South and West of the southerly boundary of the San Bernardino and Angeles National Forest.  
 Except therefrom those portions lying within the various corporate city boundaries and the West Valley

Vector Control District.

(c) The benefit assessment rates for the Mountain Region shall be as follows:

| <u>TYPE OF PROPERTY</u> | <u>RATE</u> |
|-------------------------|-------------|
| Assessable parcels      | \$2.00      |

(d) The legal area and description of the San Bernardino County Vector Control Program Mountain Region is as follows:

All that portion of the County of San Bernardino, State of California, described as follows:

Beginning at the intersection of the San Bernardino County line with the North line of Section 31, Township 4 North, Range 7 West, San Bernardino Meridian, said point being also on the boundary of the San Bernardino National Forest;

Thence Easterly along said National Forest boundary and continuing along said boundary, following all of its various courses to the Southeast corner of Section 36, Township 1 South, Range 2 East, San Bernardino Meridian, said point being also on the San Bernardino County line;

Thence leaving said National Forest boundary West along said County line to the Southwest corner of Section 31, Township 1 South, Range 1 East, San Bernardino Meridian, said point being also on the boundary of the San Bernardino National Forest;

Thence North along said National Forest boundary and continuing along said boundary, following all of its various courses the boundary of the Angeles National Forest, said point being on the South line of Section 13, Township 1 North, Range 8 West, San Bernardino Meridian;

Thence West along the South line of said Section 13 and said boundary of the Angeles National Forest to the San Bernardino County line;

Thence Northerly along said County line to the Point of Beginning.

EXCEPT THEREFROM all portions lying within any incorporated city, including: CITY OF BIG BEAR LAKE.

(e) The benefit assessment rates for the Desert Region shall be as follows:

| <u>TYPE OF PROPERTY</u> | <u>RATE</u> |
|-------------------------|-------------|
| Assessable parcels      | \$2.00      |

(f) Legal area and description of the Desert Region is described as follows:

All that portion of the County of San Bernardino, State of California, described as follows:

Beginning at the intersection of the North line of Section 31, Township 4 North, Range 7 West, San Bernardino Meridian with the San Bernardino County line;

Thence Northerly along said County line and continuing along said County line, following all of its various courses to the intersection of the township line between Townships 11 and 12 North with the California and Nevada State line;

Thence West along said township line to the range line between Ranges 18 and 19 East;

Thence South along said range line to the Southeast corner of Township 11 North, Range 18 East, San Bernardino Meridian;

Thence West along the south line of said township to the range line between Ranges 18 and 19 East;

Thence South along said range line to the township line between Townships 8 and 9 North;

Thence East along said township line to the West line of Section 6, Township 8 North, Range 20 East, San Bernardino Meridian;

Thence North along said West line to the Northwest corner of said Section 6;

Thence East along the North line of said Township 8 North, Range 20 East, to the range line between Ranges 20 and 21 East.

Thence South along said range line to the North line of Section 1, Township 5 North, Range 20 East, San Bernardino Meridian;

Thence East along said North line to the range line between Ranges 20 and 21 East;

Thence South along said range line to the township line between Townships 3 and 4 North;

Thence East along said township line to the range line between Ranges 21 and 22 East;

Thence South along said range line to the township line between Townships 1 and 2 North;

Thence East along said township line to the range line between Ranges 23 and 24 East;

Thence South along said range line to the Southeast corner of Section 13, Township 1 South, Range 23 East, San Bernardino Meridian, said point being on the San Bernardino County line;

Thence West along said County line and continuing along said line, following all of its various courses to the Southwest corner of Section 31, Township 1 South, Range 3 East, San Bernardino Meridian, said point being on the boundary of the San Bernardino National Forest;

Thence North along said National Forest boundary and continuing along said boundary, following all of its various courses to the Point of Beginning.

EXCEPT THEREFROM the following cities:

Adelanto

Apple Valley

Barstow

Hesperia

Twentynine Palms

Victorville

Yucca Valley

(g) The benefit assessment rates for the Colorado River Region shall be as follows:

| <u>TYPE OF PROPERTY</u>                     | <u>RATE</u> |
|---|-------------|
| (1) <u>Vacant</u><br>Assessable parcels     | \$1.00      |
| (2) <u>Residential</u>                      |             |
| (A) SFD                                     | \$4.32      |
| (B) 5-14 Units                              | \$4.32      |
| (C) 15-80 Units                             | \$6.64      |
| (D) 81 Units or over                        | \$8.96      |
| (3) <u>Commercial</u><br>Assessable parcels | \$8.96      |
| (4) <u>Industrial</u><br>Assessable parcels | \$8.96      |

(h) The legal and area designation for the Colorado River Region Benefit Assessment Zone is described as follows:

That portion of the County of San Bernardino, State of California, described as follows:

Beginning at the Southwest corner of Section 18, Township 1 South, Range 24 East, San Bernardino Meridian, said corner being also on the San Bernardino and Riverside County line;

Thence North along the range line between Ranges 23 and 24 East to the township line between Townships 1 and 2 North;

Thence West along said township line to the range line between Ranges 21 and 22 East;

Thence North along said range line to the township line between Townships 3 and 4 North;

Thence West along said township line to the range line between Ranges 20 and 21 East;

Thence North along said range line to the South line of Section 31, Township 6 North, Range 21 East, San Bernardino Meridian;

Thence West along said South line to the Southwest corner of said Section 31;

Thence North along the range line between Ranges 20 and 21 East to the township line between Townships 8 and 9 North;

Thence West along said Township line to the East line of Section 36, Township 9 North, Range 19 East;  
 Thence South along said East line to the Southwest corner of said Section 36;  
 Thence West along the township line between Township 8 and 9 North to the range line between Ranges 18 and 19 East;  
 Thence North along said range line to the Northwest corner of Section 6, Township 10 North, Range 19 East, San Bernardino Meridian;  
 Thence East along the North line of said Township 10 North, Range 19 East to the Southwest corner of Section 31, Township 11 North, Range 19 East, San Bernardino Meridian;  
 Thence North along the range line between Range 18 and 19 East to the township line between Townships 11 and 12 North;  
 Thence East along said township line to the California and Nevada State line;  
 Thence Southeasterly along said State line to the center line of the main channel of the Colorado River;  
 Thence Southerly along said center line, following all of its various courses to the San Bernardino and Riverside County line;  
 Thence West along said County line to the Point of Beginning.  
 EXCEPT therefrom those portions lying within the corporate boundary of the City of Needles.  
 Contains 1690 Square miles, more or less.

(i) The benefit assessment rates for the City of Needles shall be as follows:

| <u>TYPE OF PROPERTY</u>                     | <u>RATE</u> |
|---|-------------|
| (1) <u>Vacant</u><br>Assessable parcels     | \$1.00      |
| (2) <u>Residential</u>                      |             |
| (A) SFD                                     | \$8.32      |
| (B) 5-14 Units                              | \$8.32      |
| (C) 15-80 Units                             | \$10.64     |
| (D) 81 Units or over                        | \$12.96     |
| (3) <u>Commercial</u><br>Assessable parcels | \$12.96     |
| (4) <u>Industrial</u><br>Assessable parcels | \$12.96     |

**Renumber and restated Ordinance 3105 (1986); Amended Ordinance #3549 (1993); Amended Ordinance #3672 (1996);**

### **33.0945 Method of Collection; Authorization to Add to Tax Roll.**

(a) All assessments fixed and authorized in this article may be collected directly by the County or added to the tax roll. When added to the tax roll, the assessment shall appear as a separate item on the tax roll for the vector control program and on the tax bill. The charge shall be collected at the same time and in the same manner as general ad valorem and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for such County taxes.

(b) All laws applicable to the levy and collection of taxes shall apply except that if the real property to which such charges relates has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrance for value has been created and attached thereon, prior to the date on which the first installment of such taxes would then become delinquent, then the charge confirmed pursuant to this article shall not result in a lien against such real property, but instead shall be transferred to the unsecured roll for collection. When collected directly by the County, said assessment shall be due at the same time as if collected on the tax roll. Delinquencies arising during direct County collection methods shall be assessed an additional ten dollars (\$10) per parcel due to delinquent collections processing costs and all legal costs.

**Renumber and restated Ordinance 3105 (1986); Amended Ordinance #3549 (1993); Amended Ordinance #3672 (1996);**

## **Article 5: 4-H/FFA EDUCATIONAL ANIMAL PROJECTS**

### **33.0951 General Provisions.**

Except as provided herein, all authority and provisions of Chapters 1, 2, and 3 of this Environmental Health Code (E.H. Code) shall apply to this Article.

Prior to placement of an educationally oriented animal husbandry project as specified by the San Bernardino County Development Code Section 86.0201 (B)(6), a completed application from the Department of Environmental Health Services (DEHS) of the County of San Bernardino for a permit to operate an animal project within this jurisdiction shall be filed with that amount listed in the San Bernardino County Code Schedule of Fees as an application fee paid to DEHS. On the DEHS application form, the applicant shall submit the following information:

- (1) Signature of applicant's parent or guardian.
- (2) Signature of applicant's youth organization advisor or counselor.
- (3) The signatures of all residents within a radius of three hundred (300) feet from the perimeter of the proposed animal project location. Such signatures shall indicate that the applicant has provided notification of the animal project proposal to each resident.
- (4) A plot plan to indicate location of the animal project, proposed structures, and surrounding residential structures.
- (5) The application shall include a proposed expiration date; however, the Director of DEHS reserves the right to make the final determination on the length of time for which the permit will be issued, after which the permit shall be automatically revoked and the project shall discontinue operation. The applicant may request an extension of up to six (6) months as approved by the Director and also may submit a new application.

After the Director of DEHS has given the application an initial review, and determined that the applicant can comply with the effective provisions of this Article and the provisions of the San Bernardino County Development Code, a notice of intent to issue a permit to operate shall be forwarded to those neighborhood residents within three hundred (300) feet of the project, notifying them that a permit will be issued within fourteen (14) days unless otherwise appealed to the Director.

During this fourteen (14) day period, any resident within three hundred (300) feet may file an appeal to the Director. This appeal shall be heard by the Planning Commission Subcommittee of the County of San Bernardino.

If the appeal of the denial of the issuance of the permit is sustained by the Planning Commission Subcommittee, that decision shall be forwarded to the Director and a permit to operate shall not be issued. There shall be no further administrative appeal to the denial of issuance of the permit to operate.

In the event the Director's initial review indicates the applicant cannot meet the said provisions of this ordinance, the Director shall deny the permit. The applicant may appeal this denial to the Planning Commission Subcommittee by filing a written appeal with the Director within ten (10) days of the denial date.

If at any time the animal project is deemed to be in violation of applicable Environmental Health or Development Code regulation of this jurisdiction, the Director of DEHS or authorized representative shall issue the permit holder or the parent or guardian thereof a written notice to appear before a hearing officer of DEHS to show cause why the permit to operate should not be revoked. After evidence has been presented to the hearing officer of compliance or noncompliance, the Director shall make a determination and may order the permit to be revoked if sufficient cause is shown. Administrative hearing procedures shall generally follow those set forth in Chapter 2 of this E.H. Code.

#### **Renumber and restated Ordinance 3105 (1986);**

#### **33.0952 Violations, Remedies, and Penalties.**

It shall be unlawful for any person or entity to violate any provision of this Article. Except as provided herein, all remedies and penalties of Chapters 1, 2, and 3 of this E.H. Code shall apply to this Article, and are in addition to all others provided by law.

#### **Renumber and restated Ordinance 3105 (1986);**

#### **33.0953-0960 (Reserved)**